

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**August 30, 1999**

DIVISION ONE

B128494      Los Angeles County, D.C.F.S.                      (Not for Publication)  
                 v.  
                 Miguel D.  
B132101      In re Miguel D. on Habeas Corpus

The orders are affirmed. The petition is denied.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                 Masterson, J.

B131569      People    (Not for Publication)  
                 v.  
                 McCain

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                 Masterson, J.

B124717      Van Ness    (Not for Publication)  
                 v.  
                 Van Ness

The order is affirmed.

Spencer, P.J.

We concur:    Ortega, J.  
                 Masterson, J.

DIVISION ONE (Continued)

B128270      Fleming et al.                      (Not for Publication)  
                 v.  
                 City of LA

The judgment is reversed, and the cause is remanded to the trial court with directions to vacate the summary judgment. Plaintiffs are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                 Ortega, J.

B123522      People                                      (Not for Publication)  
                 v.  
                 Rochon

The findings that that the spousal rape and forcible oral copulation were committed during the commission of a first degree residential burglary within the meaning of Penal Code 667.61, subdivisions (a) and (d), are reversed. In all other respects, the judgment is affirmed.

Spencer, P.J.

We concur:    Ortega, J.  
                 Vogel (Miriam A.), J.

B126870      People                                      (Not for Publication)  
                 v.  
                 Davila

The judgment is affirmed.

Spencer, P.J.

We concur:    Ortega, J.  
                 Masterson, J.

DIVISION ONE (Continued)

B126294      Los Angeles County, D.C.F.S.                      (Not for Publication)  
                 v.  
                 Serena R. and Haryl L.

The order terminating parental rights is affirmed.

Spencer, P.J.

I concur:      Vogel (Miriam A.), J.  
I concur:      Ortega, J. (see opinion)

B127644      People    (Not for Publication)  
                 v.  
                 Christopher J.

The judgment is affirmed.

Spencer, P.J.

We concur:    Ortega, J.  
                 Vogel (Miriam A.), J.

B127191      People    (Not for Publication)  
                 v.  
                 Parish

The judgment is affirmed and the cause is remanded to the trial court with directions to issue a corrected abstract of judgment to reflect the laboratory analysis fee that Parish was ordered to pay.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                 Ortega, J.

August 30, 1999-Continued

## DIVISION ONE (Continued)

B122601      Keil      (Not for Publication)  
B125705      v.  
Loyola Marymount University et al.

The judgments are affirmed. LMU and Anderson are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Masterson, J.

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Ortega, J.

B122088 People v. Pechickjian (Not for Publication)  
B129997 In re Richard Pechickjian on Habeas Corpus

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Masterson, J.

DIVISION ONE (Continued)

B124010      Republic Bank et al.      (Not for Publication)  
v.  
Fidelity National Title Insurance Company

The judgment is reversed. The trial court is directed to enter a new and different judgment in favor of defendant, who is to recover its costs on appeal.

Spencer, P.J.

We concur:    Ortega, J.  
                  Masterson, J.

B125730      People      (Not for Publication)  
v.  
Gary Eugene Keesling

The judgment is affirmed.

Spencer, P.J.

We concur:    Ortega, J.  
                  Vogel (Miriam A.), J.

B132401      Fidel B.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition is denied.

Spencer, P.J.

We concur:    Ortega, J.  
                  Masterson, J.

August 30, 1999-Continued

## DIVISION ONE (Continued)

B126321 Neil Jasper et al. (Not for Publication)  
v.  
Robert Cooper et al.

The judgment is reversed. The trial court is directed to enter an order denying defendants' motion for summary judgment. Plaintiffs are to recover costs on appeal.

Spencer, P.J.

We concur: Ortega, J.  
Masterson, J.

DIVISION FOUR

B125507 People (Not for Publication)  
v.  
Yaniro

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.  
Curry, J.

DIVISION FIVE

B124547 Stanley Ku (Not for Publication)  
v.  
Colima Center Partnership et al.

The judgments on Ku's complaint and respondents' cross-complaint are affirmed. Respondents to recover their costs on appeal.

Godoy Perez, J.

We concur:   Turner, P.J.  
                      Grignon, J.

## DIVISION FIVE (Continued)

B119114      Gilbert Dreyfuss et al.  
v.  
Union Bank of California

Filed order denying petition for rehearing.

B124677 Marjorie Harris  
v.  
Space Walk Sales Inc.

Filed order denying petition for rehearing.

DIVISION SIX

B128878 Cobb (Not for Publication)  
v.  
Snyder

The judgment is affirmed. Respondents are awarded costs on appeal.

Coffee, J.

We concur:    Gilbert, Acting P.J.  
                      Yegan, J.

## DIVISION SEVEN

B120751 People (Not for Publication)  
v.  
Mitchell

The order of sentencing is reversed. The cause is remanded or resentencing and for consideration of appellant's request for additional precommitment credit. In all other respects, the judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.  
Woods, J.

DIVISION SEVEN (Continued)

Addendum to the minutes of August 20, 1999:

B123701      People  
                  v.  
                  Valadez

Filed order denying petition for rehearing.